

REMARKS

Reconsideration in view of the foregoing amendments and the following remarks, and entry of this paper, is respectfully requested. Moreover, the applicants have reviewed the Final Office Action of January 7, 2008, and submit that this paper is responsive to all points raised therein.

I. Status of the Claims

Claims 1-5 and 15-18 are pending in the instant Patent Application. Claims 1, 15 and 17 have been amended, as discussed below.

Support for the amendment to claim 1 is found in paragraph 0049 of the Specification. Support for the amendment to claim 15 is found in paragraph 0058. Claim 17 has been amended to be consistent with claim 15, from which it depends.

II. Rejections Under 35 USC 102(b)

Claims 1, 2 and 5 were rejected under 35 USC 102(b), as anticipated by Gray III (U.S. Patent No. 4,327,121) (Gray '121).

Claim 1 has been further amended to recite the flowable material being substantially devoid of flattening agents. This is in addition to the previously amended recitations of heat curing of flowable initial material against the textured support surface of the substrate, such that the curing coupled with the texture provides a matte finish on the first surface of the coloring material, when it is removed from the substrate. As a result of this method, flattening agents, that tend to interfere with the workability of the resultant coloring sheets, are not needed.

Gray '121, addresses curing, but only with electron beam radiation. Additionally, the coupling of curing with a textured surface, to eliminate the need for flattening agents, is not discussed within the context of Gray '121.

Accordingly, Gray '121 fails to show a coloring sheet of the claimed material formed by heat curing. For these reasons, Gray '121 falls short of claim 1 and can not anticipate it under 35 USC 102(b).

Since claim 1 is not anticipated by Gray '121, claims 2 and 5, dependent thereon, are also allowable over Gray '121 for the same reasons. These claims further distinguish over Gray '121.

III. Rejections Under 35 USC 103(a)

Claims 3-5 were rejected under 35 USC 103(a), as obvious over Burgess (U.S. Patent Application Publication No. 2002/0178574 A1) (Burgess '574) in view of Gray '121.

Claims 3-5 are dependent on claim 1, that has been discussed above. That discussion is applicable here.

Burgess '574 is directed to methods for making coated strips including conductive material. However, this reference does not address heat curing.

Gray '121 has been discussed above. That discussion is applicable here. Gray '121 does not cure by heating, and is silent as to coupling of curing with a textured surface to eliminate the need for flattening agents.

Accordingly, any combination of Burgess '574 and Gray '121 remains short of the elements of claim 1. For this reason, the Examiner's proposed combination of Burgess '574 and Gray '121 is not obvious under 35 USC 103(a) in view of this cited art.

Since claim 1 is not rendered obvious by Burgess '574 in view of Gray '121, claims 3-5, dependent thereon, are also allowable over Burgess '574 and Gray '121 for the same reasons. These claims further distinguish over the cited art.

Claims 15, 17 and 18 were rejected under 35 USC 103(a), as obvious over Gray '121 in view of Bull (U.S. Patent No. 6,254,711) (Bull '711).

Claim 15 is directed to a method for forming a coloring sheet of first flowable coloring material and a second flowable coloring material, both flowable materials being partially or fully heat cured, and the curing of the first flowable coloring material forms a relatively less flowable material, of a substantially solid state.

Gray '121 has been discussed above. That discussion is applicable here. Gray '121 does not cure by heating and is not directed to two flowable materials.

Bull '711 is cited to teach pigment layers being applied in successive lamination steps. Additionally, curing is not disclosed in the context of Bull '711.

Bull '711 fails to address heat curing of flowable materials, and accordingly, fails to cure the deficiencies of Gray '121. Accordingly, the proposed combination of Gray '121 and Bull '711 falls short of claim 15, and can not render it obvious under 35 U.S.C. 103(a).

Since claim 15 is not rendered obvious by Gray '121 in view of Bull '711, claims 17 and 18, dependent thereon, are also allowable over Gray '121 and Bull '711. These claims further distinguish over the cited art.

Claim 16 was rejected under 35 USC 103(a), as obvious over Gray '121 in view of Bull '711, as applied to claim 15, in further view of Burnett (U.S. Patent No. 2,874,416) (Burnett '146).

The failure of any combination of Gray '121 and Bull '711 to meet claim 15 has been discussed above. That discussion is applicable here.

Burnett '146 discloses resinous layers on a carrier sheet that are adhered by heating. However, this reference does not address the need for curing the resinous layers.

Accordingly, the combination of Gray '121 and Bull '711 with Burnett '146 remains deficient and fails to meet claim 16. For this reason, claim 16 is non obvious under 35 USC 103(a) in view of this cited art.

IV. Conclusion

Should the Examiner have any question or comment as to the form, content or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

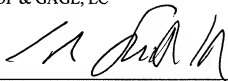
Entry of this paper and allowance of all pending claims, 1-5 and 15-18, is respectfully requested.

Docket No.: 456988

Applicants believe that no other fees are due for replying to the Final Office Action. However, if any fee is deemed necessary in connection with this paper, please charge Deposit Account No. 12-0600.

Respectfully submitted,

LATHROP & GAGE, LC



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